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May 10, 1912

SEC. 16. The health officer and his agents and employees shall have the right any time and it shall be his duty to take a sample of milk or cream from any person, persons, or concern selling or exposing for sale, or exchange, or delivering or distributing milk or cream in the city of Beaumont; not exceeding, however, 1 pint thereof, such samples to be taken and sealed in full view and in the presence of the person from whom said sample is taken, and shall then and there furnish to the person from whom such milk or cream is taken one-half of such sample, hermetically sealed, and shall retain the sample so taken hermetically sealed; such sample shall have written thereon the number of the dealer's permit, the date on which the sample was obtained, the name of the person by whom it was taken, and a memorandum thereof shall be made by the person obtaining such sample in a book kept for that purpose in the office of the health department, showing the name of the owner or driver from whom the sample was taken, the date the same was taken, and the number of the dealer's permit.

SEC. 17. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than \$25 and not more than \$200.

[Ordinance adopted Oct. 3, 1911.]

GRAND RAPIDS, MICH.

MILK—PRODUCTION, CARE, AND SALE.

SECTION 1. No person, persons, firm, or corporation shall bring to the city of Grand Rapids, keep for sale, sell, barter, handle, or traffic in milk, cream, or buttermilk within the city of Grand Rapids without first having been duly licensed so to do.

SEC. 2. Any person, persons, firm, or corporation, except common carriers, desiring to transport, keep for sale, sell, handle, barter, or traffic in milk, cream, or buttermilk within the city of Grand Rapids shall make application in writing for permission therefor to the board of health of said city of Grand Rapids upon blanks to be provided by said board. Said board shall require any such applicant to state in writing upon said blanks:

First. The applicant's full name, residence, and post-office address, and whether such applicant is an individual, firm, or corporation.

Second. The location of applicant's place or places of business, together with the place or places where any milk or cream is kept, handled or sold by said applicant, together with the location of the dairy farms from which the milk so handled or to be handled is obtained or produced.

Third. The names and addresses of all intermediate agencies or persons who handle the milk or cream between the place or places where the milk or cream is produced and the place or places where such milk or cream is received by the applicant, together with a statement of the method of transporting such milk or cream.

Fourth. The manner in which said applicant intends to dispose of milk or cream after receiving a license therefor as herein provided.

Fifth. An agreement that said applicant will notify the board of health of any intended change of supply, as required in paragraph No. 2, before making such change.

SEC. 3. Upon the signing of such application by the applicant, or some one duly authorized by him in writing, said board of health shall make or cause to be made an investigation to ascertain whether such applicant and those who furnish milk and cream for such applicant are in a position to observe, and are willing to observe, the terms and conditions of this ordinance, and said applicant shall agree to permit any duly authorized officer, inspector, or agent of said board of health to go upon the premises of any person, persons, firm, or corporation from which such applicant may receive milk or cream, or may intend to receive milk or cream for consumption in said city of Grand Rapids, and permit said representatives of said board of health to inspect the methods employed by said applicant for handling milk and cream and caring for the same when received, and shall permit the officers of said board or its agents or inspector to examine the utensils used in handling said milk and cream, and give full and complete inspection thereof from the time the same comes into the control of the applicant until the same is sold and delivered by him. And if it shall appear to the board after such investigation that said applicant is in a position to furnish clean, pure, wholesome, healthy, and unadulterated milk, cream, and buttermilk to his customers, if he is licensed so to do by the said board, then the board of health shall indorse upon the application a favorable report and transmit the application to the city clerk of the city of Grand Rapids, and no such application shall be sent to the city clerk unless the same shall be favorably indorsed by the board of health.

SEC. 4. On receipt of such application favorably indorsed by the city clerk of said city shall, if said applicant produces all of the milk and cream to be handled by himself, issue a license to such person without charge; but if said applicant handles or expects to handle or deal in milk produced by other persons than himself, the clerk shall issue a license to such applicant on payment to said clerk of the following fees: For the selling of milk, cream, or buttermilk from wagons, for each wagon, \$5; from a dairy, creamery, or milk depot, \$5; from a cart pushed or propelled by hand or from a store, \$2; from a can carried by hand and for selling at houses, restaurants, and other places, \$1. Said license shall not be transferable. The license fee may be required for one full year or any fractional part thereof ending on the first Monday of May.

SEC. 5. It shall be the duty of the city clerk to enter in a book or card index system to be provided for that purpose the name of each person to whom a license shall be issued, stating the name and place of residence of such person, the date of the issuance of such license, and the amount received therefor. But each license shall be numbered consecutively, and upon the issuance of any license the number of the same shall be stamped upon the application therefor, and thereupon such application shall be returned to the board of health and be kept by the board as a part of the records of its department.

SEC. 6. It shall be unlawful for any person, persons, or corporation to keep or offer for sale or consumption, or bring into said city to be sold for consumption any impure, unhealthy, or adulterated milk, cream, or buttermilk.

SEC. 7. Milk or cream under the terms of this ordinance shall be held to be impure or unwholesome or adulterated whenever any of the following conditions exist:

1. When the milk or cream is produced in filthy, foul smelling, and poorly ventilated stables, or when placed, kept, or stored in unclean utensils, cans, or bottles.

2. When the milk or cream at any place between the point of production and the place where it leaves the control or possession of the person holding the license shall be placed, kept, or stored in any utensil, bottle, or vessel of any description that has not been thoroughly washed and scalded with boiling water or live steam within one hour of its use as a milk or cream receptacle, and after its use for any other purpose it shall be washed and scalded as aforesaid before it shall be used as a milk or cream receptacle.

3. When the milk is drawn from the cow without first brushing or removing all material or substances from the cow that would be liable to fall into the milk during the milking process, and without first thoroughly cleansing the udder and teats of the cow and the hands and person of the milker; also when the milking is done with the hands wet with milk and the first two streams or any part thereof, from each teat are milked into the pail or other receptacle used in milking.

4. When the milk is not immediately removed from the stable after milking and cooled to a temperature of 60° or less and thereafter continuously kept at a temperature of not to exceed 60° F. until delivered to the ultimate consumer.

5. Where the owner or owners of the milk or cows refuse to allow the proper officials of the board of health to make inspection and investigation as provided by this ordinance.

6. When milk is drawn from any cow less than 20 days before or within 5 days after calving.

7. When the milk is drawn from any cow suffering from any disease, or disease or injury of the udder or teats, or the milker is afflicted with any communicable disease, or within 24 hours prior to the milking has been in contact with or caring for anyone afflicted with a communicable disease.

8. When the milk is drawn from cows fed wholly or in part upon the waste of distilleries or breweries, or brewers' grains in a fermented condition, or upon any other food or drink that produces tainted, impure, or unwholesome milk.

9. When any milk or cream contains any substance not a natural or normal constituent of milk.

10. When any milk contains more than 87½ per cent of water fluid or less than 12½ per cent of total milk solids, or less butter fat than 3 per cent Babcock test, and when the specific gravity of the milk at 60° F. shall not be between 1.029 and 1.033.

11. When milk shall contain more than 200,000 bacteria per cubic centimeter.

12. When milk or cream contains any substance or substances that have been added thereto for the purpose of preserving the same or preventing the same from souring.

13. When milk is drawn from any cow that shall not within one year last past have been inspected and tested to ascertain whether such animal is affected with tuberculosis or other contagious or infectious disease.

The inspection and test named in this paragraph shall be held complied with if the owner or owners of such cow shall within one year from the going into effect of this

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ordinance file in the office of the board of health a certificate of a duly licensed veterinary surgeon, or any other person given authority by the State livestock sanitary commission to make tuberculin tests, on blanks to be furnished by the board of health, stating that such cow has been tested with tuberculin and examined and found free from tuberculosis or other contagious disease. Such certificate shall give a number which has been permanently attached to such cow and a description sufficiently accurate for identification, stating the date and place of such examination, which certificate shall be good for one year from its date and be renewed annually and filed with the board of health. It shall be the duty of the board of health to furnish the blanks herein mentioned and make appropriate rules and regulations for carrying into effect the provisions of this subsection.

14. When cream contains less butter fat than 18 per cent, Babcock test.
15. When milk or cream is kept in any place not screened from flies or protected from fowls or animals.
16. When any milk is bloody or stringy.
17. When conditions are found to exist that makes such milk or cream dangerous or unhealthy or not fit for human use.
18. When the room in which the milk is cooled or stored is immediately connected with a stable in which animals are kept or confined.

SEC. 8. The milk and cream furnished by every hotel keeper, restaurant keeper, or boarding-house keeper to his or their guests shall be in all respects up to the standard herein specified, otherwise such hotel keeper, restaurant keeper, or boarding-house keeper shall be liable to the pains and penalties of this ordinance.

SEC. 9. No person, persons, firm, or corporation shall sell or offer for sale, expose for sale, or keep with the intention of selling, any milk or cream at retail unless the same shall be kept in a tightly covered receptacle or sold in bottles.

SEC. 10. Any producer or dealer in milk or cream who sends his, her, its, or their product to the city of Grand Rapids for consumption in any form and receives compensation therefor according to the per cent of butter fat as shown by a test or tests made by such producer or dealer, is hereby required to make such test or tests accurately and correctly, and to accurately report such to the purchaser, and in case it is found that such producer or dealer is making tests that are inaccurate or incorrect, or false, or is incorrectly or falsely reporting such tests to the purchaser, then and in such case such producer or dealer shall be liable to the pains and penalties of this ordinance.

SEC. 11. All buttermilk kept or offered for sale in the city shall be manufactured from pure cream or milk and shall be kept, handled, and sold in accordance with the provisions hereof made for keeping and handling milk and cream.

SEC. 12. Nothing in this ordinance contained shall prevent the sale of skimmed milk or sour milk, provided, however, that the same shall be sold as such, and skimmed milk shall only be kept for sale in utensils plainly marked "Skimmed milk." Skimmed milk and sour milk shall conform to the standards of purity and temperature required of sweet milk.

SEC. 13. Milk tickets must not be used more than once. All milk, cream, or buttermilk sold or offered for sale in bottles must be bottled at the dairy house, creamery, or milk depot, and milk must not be put in bottles while on the road. The hauling of milk cans, bottles, or other vessels in which milk shall be delivered to or from the place of delivery in wagons used for hauling manure or swill or any other unclean vehicle is expressly prohibited. Bottles used as milk, cream, and buttermilk containers must not be used for other purposes.

SEC. 14. The board of health of the city of Grand Rapids, together with the health officer and milk inspector and duly authorized inspectors of said board of health, are authorized and it is made their duty to conduct such inspections and make such investigations as to enable them to know that the conditions of this ordinance are being observed. And after the first Monday of May, 1912, it shall be unlawful for any person, persons, firm, or corporation to bring into, keep for sale, offer for sale, or sell within the city of Grand Rapids, any milk or cream unless the requirements set forth in this ordinance have been complied with, and after the said date it is made the duty of the board of health to enforce the provisions of this ordinance, and any member of such board or its agent or agents are authorized to enter upon the premises of any milk dealer or any person, firm, or corporation having in his, its or their possession any milk or cream destined for consumption in said city, for the purpose of making the necessary inspection and investigation to ascertain whether the conditions of this ordinance are observed, and said officials are hereby authorized to take samples of milk or cream at any time or place, not exceeding 1 quart in amount, for the purpose of testing the same. If it is found at any time by said board or any of its officers or agents that milk or cream after the first Monday of May, 1912, is being sold, kept for sale, or offered for sale for consumption within said city, that does not comply with

the terms of this ordinance, said board is hereby authorized and it is made its duty to seize said milk or cream and destroy the same, after having given such notice to the owner or person having charge thereof as to the said board seems reasonable, and given such person a hearing thereon, or to make disposition of the same in such a manner as will not be a menace to the health of the residents of the said city. It shall be the duty of the board of health to publish monthly the names, score, condition of equipment, methods, sanitary conditions, or such other data it may think proper to inform the consuming public of the standing and efficiency of every dealer in milk in the city of Grand Rapids.

SEC. 15. Said board of health is hereby empowered in its discretion to revoke the license or permit of any person, persons, firm or corporation who by himself, themselves, or itself, or their servants, agents, or employees ignore and violate the terms and requirements of this ordinance, on conviction thereof, in addition to the other penalties provided in this ordinance, shall be liable to a fine of not less than \$2 nor more than \$100, and the costs of prosecution, and be liable to imprisonment in the county jail of the county of Kent, in the discretion of the court or magistrate before whom the conviction may be had, for a period of not less than 5 days nor more than 90 days, and in case such court or magistrate shall only impose a fine and costs, the offender may be sentenced to any jail of the county of Kent until the payment of such fine and costs for a period of not more than 90 days, and such punishment shall apply to each succeeding day of continuous offense.

[Ordinance adopted Jan. 29, 1912.]